



ENTERED
11/06/2009

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re

EXPRESS ENERGY SERVICES
OPERATING, LP, *et al.*,

Debtors.

§
§
§
§
§
§
§
§
§
§
§

Chapter 11

Case No. 09-38044

Jointly Administered

**ORDER GRANTING DEBTORS' EMERGENCY MOTION FOR AUTHORITY TO PAY
(I) UNDISPUTED PREPETITION OBLIGATIONS OWED TO POTENTIAL LIEN
CLAIMANTS; (II) UNDISPUTED PREPETITION SOLE SOURCE PROVIDER
OBLIGATIONS; AND (III) THE UNDISPUTED PREPETITION REFUND OBLIGATION**

(60)

Upon the Emergency Motion (the "Motion")¹ of Express Energy Services Operating, LP and its affiliated debtors in the above referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "Debtors") for an order granting the Debtors authority to pay the undisputed Prepetition Obligations; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the requested relief being a core proceeding the Court can determine pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion and the hearing thereon has been given and that no other or further notice need be provided; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is ORDERED that:

¹ Capitalized terms used and not otherwise defined herein shall have the meanings ascribed to them in the Motion.

1. The Motion is GRANTED to the extent provided herein.
2. The Debtors are authorized, but not directed, to pay the undisputed Prepetition Obligations as set forth in Exhibit A, which is filed under seal.
3. The Banks are hereby authorized and directed to honor requests for fund transfers and prepetition checks payable for the Prepetition Obligations, as will be identified in writing by the Debtors to the relevant Banks provided that (a) funds are available in the Debtors' accounts to cover such funds transfers and checks and (b) the Banks are authorized to rely upon the Debtors' designation of any particular funds transfer and checks as approved by this Order.
4. Bankruptcy Rule 6003 is satisfied.
5. The requirements of Bankruptcy Rule 6004(a) are hereby waived and notice of the Motion as provided therein constitutes good and sufficient notice of such Motion.
6. Notwithstanding any applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon entry of this Order.
7. This Court shall retain jurisdiction to hear and consider all disputes arising from the interpretation or implementation of this Order.

Dated: Houston, Texas

Nov 6, 2009



HONORABLE JEFF BOHM
UNITED STATES BANKRUPTCY JUDGE